

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION**

CASE NO. 25-80334-CIV-CANNON

STEVEN PAUL JARVIS

Individually and on Behalf of All Others Similarly Situated

Plaintiff,

v.

XPLR INFRASTRUCTURE, LP, *et al.*,

Defendants.

ORDER DISMISSING SHOTGUN COMPLAINT AND PERMITTING REPLEADING

THIS CAUSE comes before the Court upon a sua sponte review of the record. On March 11, 2025, Plaintiff filed a two-count Complaint against Defendants, alleging violations of the Securities Exchange Act of 1934 [ECF No. 1]. Count II, however, incorporates all preceding allegations, thus rendering the Complaint an impermissible “shotgun pleading” [ECF No. 1 ¶¶ 110–115]. *See Weiland v. Palm Beach Cnty. Sheriff’s Off.*, 792 F.3d 1313, 1321 (11th Cir. 2015) (“The most common type [of shotgun pleading]—by a long shot—is a complaint containing multiple counts where each count adopts the allegations of all preceding counts, causing each successive count to carry all that came before and the last count to be a combination of the entire complaint.”). The Court has an independent obligation to dismiss such pleadings and require repleader.

Accordingly, it is hereby **ORDERED AND ADJUDGED** as follows:


1. The Complaint [ECF No. 1] is **DISMISSED WITHOUT PREJUDICE**.
2. Plaintiff may file an amended complaint that is consistent with this Order on or before **March 26, 2024. The amended complaint must not contain any successive counts**

CASE NO. 25-80334-CIV-CANNON

that incorporate all prior allegations. In other words, Count II may incorporate the same factual allegations (paragraphs 1 through 99), but Count II must not broadly incorporate the allegations of Count I. **Further, each count must identify the particular legal basis for liability and contain specific factual allegations that support each cause of action within each count.**

3. Failure to comply with this Order may result in dismissal of the case without further notice.

ORDERED in Chambers at Fort Pierce, Florida, this 13th day of March 2025.


AILEEN M. CANNON
UNITED STATES DISTRICT JUDGE

cc: counsel of record